

REMARKS

Claims 22-30, 40, 70, 73-74, 81-82, 98-164 have been canceled without prejudice. Applicants reserve the right to prosecute the subject matter of the canceled claims in related applications. In particular claims 22-26 have been canceled without prejudice in response to the Examiner's rejection of claims 22-26. Allowable claims 27-30, 40, 70, 73-74, 81-82, 98-164 have been canceled and replaced by new claims as indicated in the chart below in order to avoid having these claims depend upon higher numbered claims.

New claims 165-239 have been added. The sum of the new claims is limited to allowed subject matter. Support for the new claims can be found in the specification as originally filed as set forth in the chart below. For the Examiner's convenience, previously pending claims with language corresponding to that of the new claims are indicated in the column on the far right. No new matter is added.

Claim	Support in Specification ¹	Corresponding Claims ²
165-172	page 19, lines 26-28; page 20, lines 17-19; page 30, lines 25-37; page 20, line 28 to page 21, line1; Consensus derived from page 64, lines 1-12	98-105
181-188	page 25, lines 4-12; page 19, lines 26-28; page 20, lines 17-19; page 30, lines 25-37; page 20, line 28 to page 21, line1; Consensus derived from page 64, lines 1-12	27
197-204	page 19, lines 26-28; page 20, lines 17-19; page 30, lines 25-37; page 20, line 28 to page 21, line1; Consensus derived from page 64, lines 1-12	29, 120-127

¹ The page numbers cited in this response refer to pages in the substitute specification of May 3, 2000.

² Claims refer to claims as they were pending after entry of February 22, 2001 Amendment and before December 4, 2001 Amendment.

Claim	Support in Specification ¹	Corresponding Claims ²
210-217	page 19, lines 26-28; page 20, lines 17-19; page 30, lines 25-37; page 20, line 28 to page 21, line 1; Consensus derived from page 64, lines 1-12	81, 142-150
225-232	page 19, lines 26-28; page 20, lines 17-19; page 30, lines 25-37; page 20, line 28 to page 21, line 1; Consensus derived from page 64, lines 1-12	82, 154-161
173, 189, 218	page 44, lines 12-22	24
174, 190, 219	page 44, line 30 to page 44, line 9	25
175, 191	page 44, lines 13-17	23
176, 192, 205, 220, 233	page 22, lines 20-26	106, 117, 128, 139, 151, 162
177, 193, 206, 221, 234	page 22, lines 20-26	107, 118, 129, 140, 152, 163
178, 194, 207, 222, 235	page 22, lines 20-26	108, 119, 130, 141, 153, 164
179, 195, 208, 223, 236	page 44, lines 9-13	30
180, 196, 209, 224, 237	page 45, lines 10-13	70
238	page 25, lines 4-12	73
239	page 21, lines 1-2; and page 25, lines 4-12	74

After entry of the present amendment, claims 165-239 will be pending in the present application. For the Examiner's convenience, attached hereto as Exhibit A is a list of the claims as pending following the entry of the instant amendment.

THE REJECTION UNDER 35 U.S.C. § 102(e) SHOULD BE WITHDRAWN

Claims 22-26 have been rejected under 35 U.S.C. 102(e) as being anticipated by O'Mahony (U.S. Patent No. 6,117,632). In particular, the Examiner contends that there are no structure, size, activity or other characteristics set forth in the application to distinguish the instant proteins from the prior art proteins.

Applicants have canceled claims 22-26 without prejudice. Applicants reserve the right to prosecute the canceled claims in related applications. New claims 165-239 recite the structural limitation that the claimed proteins comprise a specific amino acid sequence selected from SEQ ID NOS: 1-55 and 253-265. Thus, the claims are limited to subject matter that has been allowed in the Office Action dated June 4, 2001. In view of the foregoing, Applicants respectfully request that the rejection under 35 U.S.C. § 102(e) be withdrawn.

THE OBJECTION TO THE CLAIMS SHOULD BE WITHDRAWN

Claims 27-30, 40, 70, 73-74, 81-82, 90-97, and 98-164 have been indicated to be allowable but have been objected to as being dependent upon a rejected base claim. Claims 27-30, 40, 70, 73-74, 81-82, 90-97, and 98-164 have been canceled and replaced by new dependent claims 166-180, 182-196, 198-209, 211-224, and 226-237 in order to avoid having these claims depend upon higher numbered claims. These new claims do not depend upon a rejected base claim. Applicants respectfully request that the objection based on claim dependency be withdrawn.


CONCLUSION

Applicants respectfully request that the amendments be entered and made of record in the present application. Applicants respectfully submit that all pending claims fully meet all statutory requirements for patentability. Action for issuance is respectfully requested.

If any outstanding issues remain, Applicants respectfully request that the Examiner call the undersigned to discuss such issues.

Respectfully submitted,

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 32,605
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Enclosures